

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- x
TRUSTEES OF THE LOCAL 8113 I.B.T. :
INSURANCE TRUST FUND, THE LOCAL 813 :
I.B.T. PENSION TRUST FUND, AND THE LOCAL :
813 AND 1034 SEVERANCE TRUST FUND, :
:

Plaintiffs, :

-against- :

J & M RECYCLING, INC. and MICHAEL :
FARACA, x

Defendants.

JUDGMENT

05-CV-5131 (ENV) (JMA)

Pursuant to the memorandum and order issued March 14, 2008 by the Honorable Eric N. Vitaliano, United States District Judge, adopting the Report and Recommendation of Magistrate Judge Joan M. Azrack, dated October 19, 2007, granting defendants' motion to dismiss, and dismissing this action, it is

ORDERED, ADJUDGED AND DECREED:

That the Report and Recommendation of Magistrate Judge Joan M. Azrack is adopted and the defendants' motion to dismiss is granted,

That the action is dismissed, and

That the Plaintiffs, the Trustees of The Local 8113 I.B.T. Insurance Trust Fund, the Local 813 I.B.T. Pension Trust Fund, and the Local 813 AND 1034 Severance Trust Fund, do recover jointly and severally of J & M Recycling Inc. and Michael Faraca

- 1) \$39,287.95 in unpaid contributions
- 2) \$7,071.83 in interest on these unpaid contributions and

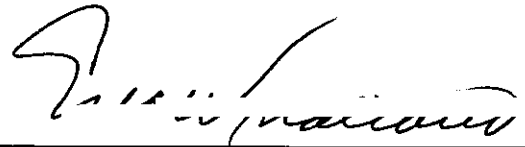
3) \$350.00 in costs

for a total judgment of \$46,709.78.

All relief not expressly granted herein is denied. The Clerk of the Court is directed to enter Judgment and close this case.

SO ORDERED.

Dated: Brooklyn, New York
March 14, 2008

A handwritten signature in black ink, appearing to read "Eric N. Vitaliano", written over a horizontal line.

ERIC N. VITALIANO
United States District Judge